

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

LT TECH, LLC

Plaintiff,

v.

AMAZON.COM, INC.

Defendant.

Case No. 4:14-cv-392

**COMPLAINT
FOR PATENT INFRINGEMENT**

DEMAND FOR JURY TRIAL

ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff LT Tech, LLC (“LTT”) hereby alleges for its Complaint for patent infringement against Defendant Amazon.com, Inc. (“Amazon” or “Defendant”) alleging as follows:

PARTIES

1. Plaintiff LTT is a Texas limited liability company with its principal place of business at 1400 Preston Road, Suite 476 Plano, TX 75093.

2. On information and belief, Defendant Amazon is a corporation organized and existing under the laws of the State of Delaware, with its principal place of business located at 410 Terry Avenue North, Seattle, WA 98109. On information and belief, Amazon may be served via its registered agent, Corporation Service Company, 2711 Centerville Rd., Ste. 400, Wilmington, DE 19808.

JURISDICTION AND VENUE

3. This action arises under the patent laws of the United States, Title 35 of the United States Code. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

4. Personal jurisdiction and venue are proper in this district under 28 U.S.C. §§ 1391(b), 1391(c) and 1400(b). On information and belief, Amazon has transacted business in this district and/or have committed, contributed to, and/or induced acts of patent infringement in this district.

5. On information and belief, Amazon is subject to this Court's specific and general personal jurisdiction pursuant to due process and/or the Texas Long Arm Statute, due at least to their substantial business in this forum, including: (i) at least a portion of the infringements alleged herein; and (ii) regularly doing or soliciting business, engaging in other persistent courses of conduct, and/or deriving substantial revenue from goods and services provided to individuals in Texas and in this judicial district.

U.S. PATENT NO. 6,177,932

6. LTT is the owner by assignment of United States Patent No. 6,177,932 ("the '932 Patent") entitled "Method and Apparatus for Network Based Customer Service." The '932 Patent originally issued on January 23, 2001 and a re-examination certificate issued on September 14, 2010. A true and correct copy of the '932 Patent is attached as Exhibit A and the re-examination certificate is attached as Exhibit B.

7. Messrs. Frank A. Galdes and Mark A. Ericson are listed as the inventors on the '932 Patent.

8. On information and belief, to the extent any marking was required by 35 U.S.C. § 287, predecessors in interest to the '932 Patent complied with such requirements.

COUNT I

INFRINGEMENT OF U.S. PATENT NO. 6,177,932 BY AMAZON

9. Plaintiff LTT incorporates paragraphs 1 through 8 as if set forth herein.

10. Amazon has, pursuant to 35 U.S.C. § 271, infringed and continues to infringe the '932 Patent in the State of Texas, in this judicial district, and/or elsewhere in the United States by, among other things, making, using, selling, offering to sell, and/or importing, without license, customer service, customer support, and/or customer care systems that provide remote access and support for consumers and businesses, such as Amazon's Mayday remote support solution included on various Kindle Fire HDX devices.

11. Amazon's Mayday remote support solution fall within the scope of at least claim 21 of the '932 Patent, as evidenced by Amazon's product descriptions. For example, Amazon's Mayday remote support solution responds to a help request from a client, when a client makes a synchronous help request thereby alerting a responding advisor.

When you tap the **Mayday** button from **Quick Settings**, you can connect to an Amazon Tech advisor who can guide you through any feature on your Kindle Fire by drawing on your screen, walking you through how to do something for yourself, or doing it for you—whatever works best.

<http://www.amazon.com/gp/help/customer/display.html?nodeId=201349900>

12. For example, using the Amazon's Mayday remote support solution, a response is received from a responding advisor, the display is synchronized between the Kindle and the responding advisor, and a responding advisor can control a client browser.

- **Can the Tech Advisor see everything on my device?**
They see what you see as they walk you through your device.

<http://www.amazon.com/gp/help/customer/display.html?nodeId=201364620>



<https://www.youtube.com/watch?v=PFYHF1w8w3g>

Your Mayday rep can even draw on your screen and, if you grant permission, control your device. So if you're stumped about, say, how to setup a new email account, your Mayday rep can open the email app and scribble arrows and circles on the screen (similar to a sports telestrator) to show you the ropes. The UI of Fire OS is very simple and straight-forward,

<http://www.gizmag.com/kindle-fire-hdx-8-9-review/30575/>

13. As a result of Amazon's infringement of the '932 Patent, LTT has suffered monetary damages in an amount not yet determined, and will continue to suffer damages in the future unless Amazon's infringing activities are enjoined by this Court.

14. Unless a permanent injunction is issued enjoining Amazon and its agents, servants, employees, attorneys, representatives, affiliates, and all others acting on their behalf from infringing the '932 Patent, LTT will be irreparably harmed.

PRAYER

WHEREFORE, LTT incorporates each of the allegations in paragraphs 1 through 14 above and respectfully requests that this Court enter:

1. A judgment in favor of LTT that Amazon has infringed, directly or indirectly, the '932 Patent;
2. A permanent injunction enjoining Amazon and its officers, directors, agents, servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in concert or privity, with any of them, from infringing, directly, jointly, and/or indirectly (by way of inducing and/or contributing to the infringement) the '932 Patent;
3. A judgment and order requiring Amazon to pay LTT its damages, costs, expenses, and prejudgment and post-judgment interest for Amazon's infringement of the '932 Patent as provided under 35 U.S.C. § 284;
5. A judgment and order finding that this is an exceptional case within the meaning of 35 U.S.C. § 285, and awarding to LTT its reasonable attorney fees; and
6. Any and all other relief to which LTT may show itself to be entitled.

DEMAND FOR JURY TRIAL

Plaintiff demands trial by jury on all issues triable to a jury.

Dated: June 16, 2014

Respectfully submitted,

By: /s/ Hao Ni

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